IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

NOTICE OF MOTION NO.986 OF 2006

IN

APPEAL (L) NO.1129 OF 2005

AND

APPEAL (L) NO.1129 OF 2005

...

Maharashtra Engineering Plastic
and General Kamgaar Union ...Appellant

V/S.

Little Kids & ors. ...Respondents

...

Mr.A.D.Shetty with Ms.Rita Joshi for the Appellant.
None for the Respondents.

CORAM: D.K.DESHMUKH &
J.H.BHATIA, JJ.

DATED: 19TH JULY, 2007

P.C.:

1. Assuming that there is sufficient cause shown for condonation of delay, we have heard the learned Counsel for the Appellant. The learned Counsel appearing for the Appellant submits that he had argued before the learned single Judge that the Labour Court was not justified in entertaining the application filed by the employer for dismissing the complaint, because the employer-employee relationship was absent, but the learned single Judge has not considered that point in his judgment, which is impugned in the Appeal, and therefore, he seeks leave to withdraw the Appeal because he wants to approach the learned single Judge seeking clarification.

2. On a motion made by the learned Counsel for the Appellant, the Motion and Appeal are permitted to be withdrawn.

(D.K.DESHMUKH, J.)

(J.H.BHATIA, J.)